

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**REGINALD COLE, JR.,
Plaintiff,**

v.

Case No. 08-C-1082

**JEROMY STANIEC,
Defendant**

DECISION AND ORDER

Plaintiff filed a motion to compel discovery, and defendant has filed a response. Plaintiff asks me to direct defendant to respond to four interrogatories, numbered 26 through 29. Defendant answered the first twenty-five interrogatories and objected to the remaining four because plaintiff exceeded the twenty-five interrogatories permitted under Federal Rules of Civil Procedure 33.

Plaintiff's motion does not comply with Federal Rule of Civil Procedure 37 or Civil Local Rule 37 because it contains no indication that plaintiff attempted to resolve the discovery dispute with defendants prior to filing his motion.

Nevertheless, implicit in plaintiff's motion are requests to enlarge both the time for discovery and the number of interrogatories allowed to allow responses to these interrogatories by defendant. Rule 33(a)(1) provides that the court may enlarge the number of interrogatories. I have reviewed the four, very specific interrogatories at issue and consider them relevant to this case. Additionally, plaintiff is incarcerated and constrained in his ability to depose defendant.

Therefore,

IT IS ORDERED that plaintiff's motion to compel (Docket #34) is **DENIED**.

IT IS FURTHER ORDERED that defendants shall provide plaintiff with responses to Interrogatory Nos. 26, 27, 28, and 29 on or before **Monday, August 2, 2010**.

IT IS FURTHER ORDERED that the parties' deadline for filing dispositive motions is extended; dispositive motions must be filed on or before **Friday, September 3, 2010**.

Dated at Milwaukee, Wisconsin, this 16 day of July, 2010.

/s

LYNN ADELMAN
District Judge